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July 12, 2004

GROUP: 1635

FAX NUMBER: 1-703-872-9306

ATTORNEY DOCKET NO.: RTS-0332

SERIAL NO.: 10/006,366

FILED: December 5, 2001

CUSTOMER NO.: 32862

CONFIRMATION NO.: 1680

NUMBER OF PAGES: 10

(including this sheet)

MESSAGE: Attached is an Amendment Transmittal Letter (in duplicate);
Reply to Restriction Requirement dated June 10, 2004 and
Notification of a Change in Status to Large Entity.

URGENT! PLEASE DELIVER IMMEDIATELY UPON RECEIPT. THANK YOU!

* * * * *

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AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No.	
Applicant(s): Bennett and Dobie				RTS-0332	
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/006,366	December 5, 2001	Karen A. LaCourciere	32862	1635	1680
Invention: Antisense Modulation of MHC Class II Transactivator Expression				RECEIVED CENTRAL FAX CENTER JUL 12 2004 OFFICIAL	
COMMISSIONER FOR PATENTS:					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	19 -	20 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	2 -	3 =	0 x	\$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1619 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
_____ Jane Massey Licata Reg. No. 32,257 Licata & Tyrrell P.C. 66 E. Main Street Marlton, NJ 08053 Tel: 856-810-1515 Fax: 856-810-1454			Dated: July 12, 2004		
CC:			<div>I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</div> <div>_____ Signature of Person Mailing Correspondence</div> <div>_____ Typed or Printed Name of Person Mailing Correspondence</div>		

AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. RTS-0332	
Applicant(s): Bennett and Dobie					
Application No. 10/006,366	Filing Date December 5, 2001	Examiner Karen A. LaCourciere	Customer No. 32862	Group Art Unit 1635	Confirmation No. 1680
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P11LARGE/REV07

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: RTS-0332
Inventors: Bennett and Dobie
Serial No.: 10/006,366
Filing Date: December 5, 2001
Examiner: Karen A. LaCourciere
Group Art Unit: 1635
Customer No.: 32862
Confirmation No.: 1680
Title: Antisense Modulation of MHC Class II
Transactivator Expression

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I hereby certify that this paper is being facsimile
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On July 12, 2004

James Massey
James Massey Licata Registration No. 32,257

Commissioner for Patents
Washington, D.C. 20231

REPLY TO RESTRICTION REQUIREMENT

This reply is to the Restriction Requirement mailed
June 10, 2004, setting a one (1) month statutory period for
response.

Remarks begin on page 2 of this paper.

Attorney Docket No.: RTS-0332
Inventors: Bennett and Dobie
Serial No.: 10/006,366
Filing Date: December 5, 2001
Page 2

REMARKS

Claims 1, 2 and 4-20 are pending in the instant application. The pending claims have been subjected to a restriction under 35 U.S.C. §121 as follows:

Group I, claims 1, 2, 4-14, 19 and 20, drawn to a compound targeted to a nucleic acid encoding MHC class II transactivator, classified in class 536, subclass 24.5.

Group II, claims 15-18, drawn to a method of inhibiting the expression of MHC class II transactivator, classified in class 514, subclass 44.

The Examiner suggests that Groups I and II are related as a product and process of use. It is further suggested that the compound of Group I may be used in a materially different method than the methods of Group II, for example the compound can be used as a primer in a method of amplification.

Applicants respectfully traverse this restriction requirement.

In accordance with MPEP § 803, there are two criteria which must be met for a proper restriction requirement. The first is that the inventions be independent or distinct; the second is that there would be serious burden on the Examiner if the restriction is not required.

Attorney Docket No.: **RTS-0332**
Inventors: **Bennett and Dobie**
Serial No.: **10/006,366**
Filing Date: **December 5, 2001**
Page 3

In the present invention, claims 1, 2, 4-14, 19 and 20 (group I) are drawn to a compound targeted to a nucleic acid molecule encoding MHC class II transactivator, wherein the compound specifically hybridizes with said nucleic acid molecule and inhibits the expression of MHC class II transactivator. Group II (claims 15-18) is drawn to a method of inhibiting the expression of MHC class II transactivator by contacting cells with the compound of Group I. Furthermore, claims 15-18 are dependent claims upon claim 1.

Accordingly, since this restriction requirement does not meet both criteria required under MPEP §803 to be proper, withdrawal of this restriction requirement is respectfully requested.

However, in an earnest effort to further facilitate prosecution, Applicants elect Group I, claims 1, 2, 4-14, 19 and

Attorney Docket No.: RTS-0332
Inventors: Bennett and Dobie
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Filing Date: December 5, 2001
Page 4

20, drawn to a compound targeted to a nucleic acid encoding MHC
class II transactivator, with traverse.

Respectfully submitted,

Jane Massey Licata

Jane Massey Licata
Registration No. 32,257

Date: July 12, 2004

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